

IN THE
SUPREME COURT OF THE UNITED STATES

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SUPREME COURT, U.S.

No. **77-7012**

CLIFFORD R. COMBS,
Petitioner,

-vs-

STATE OF MISSOURI,
Respondent.

PETITION FOR A WRIT OF CERTIORARI
TO THE MISSOURI SUPREME COURT

CLIFFORD R. COMBS,
Petitioner,

LEE M. NATION,
JAMES W. FLETCHER,
Assistant Public Defender

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TABLE OF CITATIONS

CASES:

Taylor v. Louisiana, 419 U.S. 522 (1975).
Hoyt v. Florida, 368 U.S. 57 (1961).
State v. Billy Duren, 556 S.W.2d 11 (Mo. banc 1977).
State v. Gethers, 227 S.E.2d 832 (Ga. App. 1976).
Robinson v. Kimbrough, 540 F.2d 1264 (5th Cir. 1976).

STATUTES:

Sixth Amendment, United States Constitution
Fourteenth Amendment, United States Constitution
Article I, § 22(b), Missouri Constitution
§ 497.130, Revised Statutes of Missouri
New York Judiciary Law § 542(7)
Conn. Gen. Stat. Rev. § 51-218, -219
Ga. Code Ann. § 59-112(6)
La. Stat. Ann. § 13-3055
Okla. Stat. Ann. Title 38, § 28
R. I. Gen. Laws Ann. § 9-9-11
Utah Code Ann. § 78-46-10(14)

PETITION FOR A WRIT OF CERTIORARI
TO THE MISSOURI SUPREME COURT

Petitioner, Clifford Combs , prays that a writ of certiorari issue to review the judgment and opinion of the Missouri Court of Appeals entered in the above-entitled case on February 27, 1978.

OPINION BELOW

The opinion and decision of the Missouri Court of Appeals is reported at 564 S.W.2d 328. A copy of the opinion appears in Appendix A attached hereto.

JURISDICTION

The opinion and judgment of the Missouri Court of Appeals was entered February 27, 1978. Thereafter, a motion for rehearing was filed on March 14, 1978. See, Missouri Rule of Court 84.17. The motion was overruled April 3, 1978. An application to transfer the cause to the Missouri Supreme Court was filed April 18, 1978. Missouri Rule of Court 83.03. On May 9, 1978 said application was denied by the Missouri Supreme Court, making the opinion of the Court of Appeals the final judgment of the highest court in the State of Missouri.

The jurisdiction of this Court is invoked under Title 28, United States Code, Section 1257 (3).

QUESTION PRESENTED

WHETHER MISSOURI'S STATUTORY AND CONSTITUTIONAL SCHEME FOR THE SELECTION OF PETIT JURORS -- WHICH GRANTS WOMEN AN AUTOMATIC EXEMPTION BASED SOLELY ON SEX -- DENIED PETITIONER HIS RIGHT TO TRIAL BY JURY AND DUE PROCESS OF LAW AS MANDATED AND INTERPRETED BY THIS COURT'S OPINION IN *Taylor v. Louisiana*, 419 U.S. 522 (1975).

CONSTITUTIONAL PROVISIONS INVOLVED

This case involves the Sixth Amendment to the United States Constitution and the Due Process Clause of the Fourteenth Amendment to the United States Constitution:

Sixth Amendment

"In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed,"

Fourteenth Amendment

" . . . No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

STATEMENT

Petitioner, CLIFFORD COMBS, was charged by information with the crimes of Burglary, Second Degree and Stealing (\$560.110 R.S.Mo.). Jury trial was held in the Jackson County, Missouri Circuit Court (Murphy, J.) in Kansas City, Missouri. Verdicts of guilt were returned and Petitioner was sentenced to serve concurrent four-year terms in the Missouri Division of Corrections.

HOW FEDERAL QUESTION
IS PRESENTED

1. Prior to trial, Petitioner filed a motion to quash the jury panel on the basis that women were systematically excluded from jury service. In support of this motion, petitioner introduced into evidence a stipulation of facts entered into by both the defense and the State. Briefly, the stipulation outlined the jury selection system used in Jackson County, Missouri, which is as follows: potential jurors are randomly selected from the Jackson County voter registration lists; these persons are sent questionnaires to determine their eligibility for jury service. By statute, this questionnaire prominently states:

TO WOMEN:

The Constitution permits women to elect to serve or not to serve as jurywomen. Any woman who elects not to serve will fill out this paragraph and mail this questionnaire to the jury commissioner at once. It will not be necessary to answer the other questions.

I elect not to perform jury service.

This paragraph is immediately followed by a signature line. Those questionnaires returned showing no exemption were placed in the jury wheel. Also stipulated to was the fact that the 1976 jury wheel was 29.1 % female. Each week, names are randomly selected for jury service; these persons are then sent a summons for jury service. This summons reads on its reverse side:

Women, if you do not wish to serve, return this summons to the Judge named on the reverse side as quickly as possible.

Petitioner introduced statistics relating to the number of jurors summoned, and those actually appearing for service, during the months of January through June, 1976. Additionally, the stipulation showed that of 30,165 women sent questionnaires (for the 1976 jury wheel), fully 21,884 (72.6%) indicated an unwillingness to serve as jurors by signing the line under the last paragraph of the questionnaire, which informed them of their ability to refuse to serve because of their sex. Lastly, census evidence was introduced showing Jackson County to be 54% female. An example of the stipulation and its supporting documents is attached hereto as Appendix B and made a part hereof by reference.

At the close of Petitioner's presentation of evidence on the Motion, the State offered no evidence and the Motion was overruled.

2. Subsequent to his trial, petitioner filed a timely motion for new trial alleging the instant allegation. A timely appeal was then prosecuted to the Missouri Court of Appeals, Kansas City District, which affirmed petitioner's conviction by opinion dated February 27, 1978. Motion for rehearing was overruled April 3, 1978. Application to transfer the cause to the Missouri Supreme Court was denied May 9, 1978. The issue raised herein was raised and argued before the trial court and the Missouri Court of Appeals, whose opinion has now become the final judgment of the Missouri Supreme Court with the denial of the application to transfer. Missouri Rule of Court 83.03.

REASONS FOR GRANTING
THE WRIT

The opinion and decision of the Missouri Supreme Court in the instant case is in direct conflict with past decision of this Court, various federal courts of appeals and several state high courts. Specifically, Petitioner contends the instant opinion is in conflict with *Taylor vs. Louisiana*, 419 U.S. 522 (1975) and thus, cannot stand. *Taylor* held Article VII, Section 41 of the Louisiana Constitution and Article 402 of the Louisiana Code of Criminal Procedure (since repealed) violative of *Taylor's* due process rights guaranteed by the XIV Amendment to the United States Constitution.

The Louisiana law is reproduced here for the convenience of the Court:

Article VII, Louisiana Constitution

§41. Selection of jurors; women jurors; trial by judge; trial by jury.

The Legislature shall provide for the selection and drawing of competent and intelligent jurors for the trial of civil and criminal cases; provided, however, that no woman shall be drawn for jury service unless she shall have previously filed with the clerk of the District Court a written declaration of her desire to be subject to such service. All cases in which the punishment may not be at hard labor shall, until otherwise provided by law, be tried by the judge without a jury. Cases, in which the punishment may be at hard labor, shall be tried by a jury of five, all of whom must concur to render a verdict; cases, in which the punishment is necessarily at hard labor, by a jury of twelve, nine of whom must concur to render a verdict; cases in which the punishment may be capital, by a jury of twelve, all of whom must concur to render a verdict.

Louisiana Code of Criminal Procedure

Article 402. Service of women as jurors.

A woman shall not be selected for jury service unless she has previously filed with the clerk of court of the parish in which she resides a written declaration of her desire to be subject to jury service.

The United States Supreme Court in *Taylor* re-examined the question of automatic exclusion of women from the juries previously decided by that Court in *Hoyt v. Florida*, 368 U.S. 57, 7 L.Ed.2d 118, 82 S.Ct. 159 (1961) and they reached a different result. Accordingly, the Court stated:

"Accepting as we do however, the view that the VI Amendment affords the Defendant in a criminal trial the opportunity to have the jury drawn from venires representative of the community, we think it is no longer tenable to hold that women as a class may be excluded or given automatic exemptions based solely on sex if the consequences are that criminal jury venires are almost totally male."

(42 L.Ed.2d 690 at 702) [emphasis added]

The question presented herein then whether Missouri offers an "automatic exemption based solely on sex" and if, "the consequences are that criminal jury venires are almost totally male."

The Missouri Constitution, Article I, Section 22(b) states: "No citizen shall be disqualified from jury service because of sex, but the court shall excuse any woman who requests exemption therefrom before being sworn as a juror." This Article is implemented by Section 497.130, Missouri Revised Statutes (1974), which section allows women to "elect to serve or not to serve as jury women."

When placed side by side and examined, the Missouri system and the Louisiana system (later changed) both offer an absolute exemption to jury service based strictly upon gender. The difference being only that in Louisiana the woman must affirmatively opt for service while her Missouri sister must affirmatively choose not to serve.

The Appellant's argument is much better stated by the United States Supreme Court's final paragraph in the *Taylor* opinion:

". . . but the jury wheels, pools of names, panels, or venires from which juries are drawn must not systematically exclude distinctive groups in the community and thereby fail to be reasonably representative thereof."

Petitioner concludes that "(t)he States remain free to prescribe relevant qualifications for their jurors and to provide reasonable exemptions. . ." *Taylor v. Louisiana*, at 538. Petitioner, however, does not believe that a blanket exemption for women is a reasonable exemption. Indeed, as pointed by Mr. Justice Seiler in his dissenting opinion in *State v. Billy Duren*, 558 S.W.2d 11, 24, n.2 (1977):

"The federal court (the United States District Court for the Western District of Missouri) provides for excuse on request by a woman charged with care of minor children without adequate domestic help."

Petitioner maintains that this is a reasonable exemption for women and would not serve to deny an accused his constitutional right to a representative jury: in the federal court in Kansas City, 53% of the persons on jury wheel are women and 39.8% of the actual jurors chosen were women. 556 S.W.2d at 24. This data can be contrasted with the Missouri courts: 29% of the persons on the wheel are women; seldom over 15% of the persons appearing for jury service are women; and often, as in the case-at-bar, juries are all male.


Since *Taylor*, several states have been faced with challenges to exemptions to women. All, except Missouri, have changed the exemption by either statute or court decision, see, e.g. *State v. Gethers*, 227 S.E.2d 832 (Ga.App.1976); *Robinson v. Kimbrough*, 540 F.2d 1264 (5th Cir.1976); *New York Judiciary Law* 549(7); *Conn. Gen.Stat.Rev.* §51-218, 219; *Ga.Code Ann.* §59-112(6); *La.Stat. Ann.* §13-3055; *Okla.Stat. Ann.* Title 38 §28; *Rhode Island Gen.Laws Ann.* §9-9-11; *Utah Code Ann.* §78-46-10(14). Missouri remains the only state with an automatic exemption for women. Further, this exemption causes gross underrepresentation of women on jury panels. (See attached exhibits as to the women appearing for jury service). The instant opinion cannot stand as a correct interpretation of this Court's opinion in *Taylor*. Unlike the Missouri Supreme Court, Petitioner does not believe *Taylor* stands for the proposition that any percentages of women on jury panels, higher than those found in *Taylor*, is constitutionally permissible; instead *Taylor* condemns jury mechanisms which deny an accused his right to a jury drawn from a reasonable cross-section of society. The Missouri jury selection system is of such a breed: Petitioner's panel (10% women) cannot be considered as representative of society.

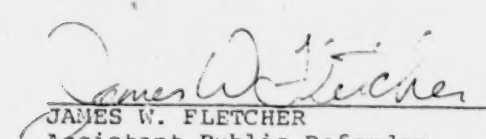
Accordingly, a Writ of Certiorari should issue to review the opinion of the Missouri Supreme Court affirming Petitioner's conviction.

CONCLUSION

WHEREFORE, Petitioner respectfully requests this Court to issue a Writ of Certiorari to the Missouri Supreme Court.

Petitioner


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APPENDIX A

OPINION RENDERED BY THE MISSOURI COURT OF APPEALS,
KANSAS CITY DISTRICT, ON FEBRUARY 27, 1978.

APPENDIX A IS THE OPINION OF THE COURT
IN STATE OF MISSOURI V. COMBS AND CAN BE
FOUND AT 564 S.W.2d 328. IT HAS NOT BEEN
FILMED HERE.

APPENDIX B

STIPULATION ENTERED INTO BY PARTIES AND DOCUMENTS

IN THE CIRCUIT COURT OF MISSOURI, SIXTEENTH JUDICIAL CIRCUIT

STATE OF MISSOURI,)
)
 Plaintiff,)
)
 v.) Docket
) Division No.
)
) No.
 Defendant.)

STIPULATION

Comes now the defendant, by counsel,
 , Assistant Public Defender, and the state,
 by counsel, Assistant Prosecuting Attorney,
 and stipulate and agree as follows:

1. All persons summoned for jury duty in the year 1976,
 including the persons summoned as prospective jurors in this case,
 were selected from a jury wheel created in the following manner:

- a. Under the direction of the Circuit Court Administrator and the Jury Commissioner, the Department of Court Computer Services created a computer data file containing the name, address, sex and ward/precinct number of every fourth registered voter in Jackson County, Missouri, in the records of the Kansas City Board of Election Commissioners and the Independence Board of Election Commissioners. An Official Notice and Questionnaire in the form prescribed by Section 497.130 of the Missouri Revised Statutes was mailed to each person whose name was selected from the aforesaid list of registered voters.
- b. Completed questionnaires were received in return mail by employees of the Department of Court Computer Services. The questionnaires are scrutinized to determine if any of the responses shown on the questionnaire indicated that that person was entitled to exemption or to be excused from jury duty. The names of those persons who appeared to be entitled to exemption or to be excused from jury duty were then removed from the role of those persons who were sent questionnaires. The list of remaining names constitutes the jury wheel of 1976.
- c. Attached hereto as Exhibit "A" is a copy of a "Summary of Questionnaire Processing for the 1976 Jury Wheel" prepared by Robert J. Kramer, Director of Computer Services, which is a summary of the number of questionnaires processed in the compilation of the 1976 Jury Wheel for Jackson County, and said Exhibit "A" may be admitted in evidence in this case.

- d. Attached hereto as Exhibit "B" is a copy of a memorandum showing the number of males whose names are included in the 1976 Jury Wheel for Jackson County and the number of females whose names are included in the 1976 Jury Wheel for Jackson County. Exhibit "B" and the information shown in that exhibit may be admitted in evidence in this case.

2. Prospective jurors are summoned as follows:

- a. Prior to the week for which potential jurors are to be summoned, the presiding judge and the jury commissioner determine the number to be summoned. This number is provided to the Department of Court Computer Services which uses a computer programmed to randomly select the designated number of potential jurors from the 1976 Jury Wheel. The persons so selected are mailed a jury summons identical to the form of summons attached and marked Exhibit "C", which exhibit is hereby incorporated by reference.
- b. Attached Exhibit "D" (pages 1 through 7), which exhibit is hereby incorporated by reference, is an analysis of the sex and service of potential jurors summoned for each jury week in 1976 through the week of July 26, 1976. The figures contained in Exhibit "D" may be admitted in evidence in this case.

3. On February 4, 1976, the Office of the Public Defender for the Sixteenth Judicial Circuit was authorized to obtain from the Jackson County Circuit Court Administrator all "Official Notice and Questionnaire" forms which were received, processed and used to compile the 1976 Jury Wheel for Jackson County. On February 11, 1976, the Office of the Public Defender received all such questionnaires from the Office of the Circuit Court Administrator.

The questionnaires were so sorted to separate those sent to males from those sent to females. Questionnaires sent to females were sorted to determine the following information and counted in each category thereby obtaining the following totals:

<u>Category</u>	<u>Total Number of Questionnaires</u>
Information on the face of the questionnaire showing that the woman was no longer a resident of Jackson County, Missouri.	817
Female government employees who indicated they would not serve	21
Female professionals, including clergy, who indicated they would not serve	93

Females who indicated prior jury service on the questionnaire (Line 12) but indicated they were willing to serve	132
Females who indicated prior jury service but were unwilling to serve	20
Female teachers who indicated they would not serve	437
Questionnaires indicating that the addressee was in a nursing home	50
Questionnaires indicating in Line 11 that the woman was physically unable to serve or some other written indication of physical infirmity such as loss of hearing, or who indicated they were ineligible under the statutes	1,106
Questionnaires showing that the woman was over 65 years of age and with no affirmative indication of willingness to serve	2,059
Questionnaires showing that the woman was under 21 years of age	151
Questionnaires returned with the notation that the addressee was deceased	53
Questionnaires indicating that the woman declined to serve for no other apparent reason than the female exemption	21,884
Questionnaires with affirmative indications that the woman would serve, or without any indication of refusal	3,342

4. The Court may take judicial notice of the Department of Commerce, Bureau of Census, statistics contained in attached Exhibit "E", which exhibit is hereby incorporated by reference, entitled "General Population Characteristics."

Date

Assistant Prosecuting Attorney
Jackson County Courthouse
415 East 12th Street
Kansas City, Missouri 64106
Counsel for Plaintiff

Date

Assistant Public Defender
1802 Traders Building
1125 Grand Avenue
Kansas City, Missouri 64106
474-5811
Counsel for Defendant



CIRCUIT COURT OF JACKSON COUNTY, MISSOURI

415 EAST 12TH STREET

KANSAS CITY, MISSOURI 64106

AUSTIN E. VAN BUSKIRK
COURT ADMINISTRATOR

December 29, 1975

ROBERT J. KRAMER
DIRECTOR OF COMPUTER SERVICES
816-881-3558

To: Austin E. Van Buskirk
Court Administrator

Re: 1976 Jury Wheel

Attached is the summary of questionnaire processing for the 1976 jury wheel. As you can see, the new wheel will contain a total of 27,868 names. If you need further explanation of the attached summary, please let me know.

Robert J. Kramer
Robert J. Kramer
Director of Computer Services

RJK:bf

cc: John Fitzgerald

EXHIBIT 51
AUG 18 1976
MAE RYALS

Exhibit
"A"

SUMMARY OF QUESTIONNAIRE PROCESSING
FOR THE 1976 JURY WHEEL

Approximate Registered Voters	<u>260,813</u>
Questionnaires Mailed (1/4 voter rolls)	65,207
Deceased and/or Non-Deliverable	2,451
Ineligible/Elected Not To Serve	<u>34,888</u>
Total Records Removed From File	<u>37,339</u>
1976 Jury Wheel	<u>27,868</u>
Changes to File	
Name Changes	167
Address Changes	<u>2,141</u>
Total Changes	<u>2,308</u>
Total Questionnaires Returned	<u>57,457</u>
Number of Questionnaires Not Returned	<u>7,750</u>

MEMORANDUM

June 15, 1976

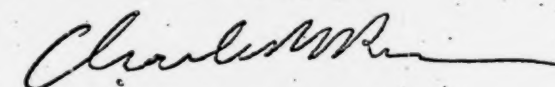
TO: Thomas M. Larson
FROM: Charlie Rogers
RE: Jury Wheel Count

I counted the males and females on the Jackson County Jury Wheel List for 1976, and obtained the following results:

Males	19,755
Females	<u>8,099</u>
Total	<u>27,854</u>

This figures out to slightly less than 29.1% of the persons on the jury wheel list who are female.

I spent a total of 13 hours on this project.



Charles M. Rogers
Certified Law Intern

Exhibit
"B"

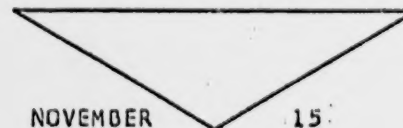
IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI

Summons for Jury Service

To

YOU ARE HEREBY SUMMONED to appear before the Honorable
PAUL E. VARDEMAN, Judge of DIVISION 03 of the
Circuit Court of Jackson County, Missouri IN KANSAS
CITY AT 12TH & OAK IN RM 301, ON MONDAY THE 15
day of NOVEMBER, 1976 AT 8:15 o'clock AM to serve as a
juror until discharged.

IF YOU FAIL TO APPEAR YOU MAY BE HELD IN CONTEMPT OF COURT
BRING THIS SUMMONS WITH YOU. JOHN R. FITZGERALD
PLEASE READ THE INSTRUCTIONS ON REVERSE SIDE. Jury Commissioner
(OVER)



NOVEMBER

15

PLEASE BRING THIS ENTIRE CARD WITH
YOU WHEN YOU APPEAR AT THE JURY
ASSEMBLY ROOM.

INSTRUCTIONS

Please note the Judge and location on the front side of this card. You must report to him on the day and at the time specified.

No male juror shall be excused from service except for sufficiently valid reasons to be APPROVED BY THE JUDGE or upon PERSONAL APPEARANCE BEFORE SAID JUDGE AS SHOWN ON THE FRONT OF THIS CARD. Applications for excuses must be presented to said Judge on or before 12 o'clock noon on the Thursday preceeding the date which you are to appear as shown on the reverse side.

A physically disabled juror must show that to appear and serve would endanger his health. Such proof must be in the form of a doctor's certificate and be presented to the Judge the same as other applications.

Women, if you do not wish to serve, return this summons to the Judge named on the reverse side as quickly as possible.

Men, if you are over 65 years of age and do not wish to serve, return this summons to the Judge named on the reverse side the same as other applications, before 12 noon Thursday preceeding your date of service. Give your date of birth in your request.

Non-Residents, if you are no longer a resident of Jackson County, Missouri, you are not eligible for jury service. Please let us know you have moved by returning this summons promptly giving your present address.

All persons duly summoned by mail as jurors may be attached for non-appearance and fined by the court for contempt.

We regret that we are unable to furnish parking for jurors.

Please bring this Summons with you when you appear at the Jury Assembly Room.

JURY COMSSR: 6500/ JURY COMSSR: 6500/1975

TABLE OF JURORS SUMMONED IN JACKSON COUNTY FOR
SERVICE IN KANSAS CITY - JANUARY, 1976

WEEK	JURORS SUMMONED		EXCUSED OR DECEASED	DEFERRED	ABSENT	APPEARED FOR SERVICE	
1/5/76	Male	247 (75.5%)	70	19	6	152	(92.7%)
	Female	80 (24.5%)	49	2	17	12	(7.3%)
	Total	327	119	21	23	164	
1/12/76	Male	260 (76.5%)	64	25	24	147	(88.6%)
	Female	80 (23.5%)	48	1	12	19	(11.4%)
	Total	340	112	26	36	166	
1/19/76	Male	245 (76.3%)	71	18	14	142	(87.1%)
	Female	76 (23.7%)	45	0	10	21	(12.9%)
	Total	321	116	18	24	163	
1/26/76	Male	234 (72.0%)	85	12	15	122	(81.9%)
	Female	91 (28.0%)	44	2	18	27	(18.1%)
	Total	325	129	14	33	149	
TOTALS FOR JANUARY 1976	Male	986 (75.1%)	290	74	59	563	(87.7%)
	Female	327 (24.9%)	186	5	57	79	(12.3%)
	Total	1,313	476	79	116	642	

Exhibit
"D"

TABLE OF JURORS SUMMONED IN JACKSON COUNTY FOR
SERVICE IN KANSAS CITY - FEBRUARY, 1976

WEEK OF		JURORS SUMMONED		EXCUSED DECEASED	DEFERRED	ABSENT	APPEARED FOR SERVICE	
2/2/76	Male	224	(70.9%)	64	26	16	118	(79.7%)
	Female	92	(29.1%)	46	4	12	30	(20.3%)
		<u>316</u>		<u>110</u>	<u>30</u>	<u>28</u>	<u>148</u>	
2/9/76	Male	243	(73.6%)	66	18	23	136	(82.9%)
	Female	87	(26.4%)	48	1	10	28	(17.1%)
	Total	<u>330</u>		<u>114</u>	<u>19</u>	<u>33</u>	<u>164</u>	
2/17/76	Male	120	(67.1%)	35	13	4	68	(81.0%)
	Female	59	(32.9%)	37	1	5	16	(19.0%)
	Total	<u>179</u>		<u>72</u>	<u>14</u>	<u>9</u>	<u>84</u>	
2/23/76	Male	235	(69.9%)	59	19	7	150	(84.7%)
	Female	101	(30.1%)	53	2	19	27	(15.3%)
	Total	<u>336</u>		<u>112</u>	<u>21</u>	<u>26</u>	<u>177</u>	
TOTALS FOR FEBRUARY 1976	Male	822	(70.8%)	224	76	50	472	(82.4%)
	Female	339	(29.2%)	184	8	46	101	(17.6%)
	Total	<u>1,161</u>		<u>408</u>	<u>84</u>	<u>96</u>	<u>573</u>	

TABULATION OF DATA OBTAINED FROM LISTS OF JURORS SUMMONED FOR MARCH, 1976.

Week
beginning:

March 1,
1976.

	Jurors Summoned	(%)	Excused	Deferred	Not Appearing	Appeared For Service	(%)
Female	90	(72.0%)	56	2	13	19	(13.1%)
Male	231	(28.0%)	64	21	20	126	(86.9%)
Total	321		120	23	33	145	

March 8,
1976.

Female	107	(31.9%)	64	2	9	32	(21.8%)
Male	228	(68.1%)	67	37	9	115	(78.2%)
Total	335		131	39	18	147	

March 15,
1976.

Female	107	(31.2%)	62	3	17	25	(15.2%)
Male	228	(68.8%)	58	23	15	140	(84.8%)
Total	343		120	26	32	165	

March 22,
1976.

Female	50	(26.0%)	27	1	8	14	(15.6%)
Male	142	(74.0%)	40	17	9	76	(84.8%)
Total	192		67	18	17	90	

March 29,
1976.

Female	99	(28.6%)	65	3	11	20	(12.5%)
Male	247	(71.4%)	70	27	10	140	(87.5%)
Total	346		135	30	21	160	

Total for
Weeks of
March, 1976.

Female	453	(29.5%)	274	11	58	110	(17.0%)
Male	1,084	(70.5%)	299	125	63	597	(83.0%)
TOTAL	1,537		573	136	121	707	

TABLE OF JURORS SUMMONED FOR DUTY IN KANSAS CITY, APRIL, 1976.

week of		Summoned	Excused	Deferred	Not Appearing	Appeared For Service
4/5/76	Male	248 (71.1%)	65	29	15	139 (79.9%)
	Female	101 (28.9%)	51	1	14	35 (20.1%)
	Total	349	116	30	29	174
4/12/76	Male	254 (72.2%)	72	21	13	148 (83.1%)
	Female	98 (27.8%)	51	0	17	30 (16.9%)
	Total	352	123	21	30	178
4/19/76	Male	235 (70.6%)	67	21	12	135 (86.5%)
	Female	98 (29.4%)	54	2	21	21 (13.5%)
	Total	333	121	23	33	156
4/26/76	Male	121 (74.7%)	29	14	6	72 (90.0%)
	Female	41 (25.3%)	23	0	10	8 (10.0%)
	Total	162	52	14	16	80
TOTALS FOR APRIL, 1976	Male	858 (71.7%)	233	85	46	494 (84.0%)
	Female	338 (25.3%)	179	3	62	94 (16.0%)
	Total	1196	412	88	108	588

TABLE OF JURORS SUMMONED FOR DUTY IN KANSAS CITY, MAY, 1976

Week of		Summoned	(%)	Excused	Deferred	Not Appearing	Appeared for Service
5/3/76	Male	240	(72.7%)	60	17	15	148 (87.1%)
	Female	90	(27.3%)	48	2	18	22 (12.9%)
	Total	330		108	19	33	170
5/10/76	Male	236	(72.7%)	52	27	12	145 (89.0%)
	Female	89	(27.3%)	56	0	15	18 (11.0%)
	Total	325		108	27	27	163
5/17/76	Male	231	(72.6%)	56	29	12	134 (86.5%)
	Female	87	(27.4%)	52	2	12	21 (13.5%)
	Total	318		108	31	24	155
5/24/76	Male	239	(74.5%)	53	26	13	147 (85.5%)
	Female	82	(25.5%)	43	1	13	25 (14.5%)
	Total	321		96	27	26	172
Totals for May, 1976	Male	946	(73.3%)	221	99	52	574 (87.0%)
	Female	348	(26.7%)	199	5	58	86 (13.0%)
	Total	1,294		420	104	110	660

TABLE OF JURORS SUMMONED FOR DUTY IN KANSAS CITY, JUNE, 1976

Week of		Summoned	(%)	Excused	Deferred	Not Appearing	Appeared for Service
6/1/76	Male	217	(71.6)	54	29	12	122 (82.4%)
	Female	86	(28.4%)	42	4	14	26 (17.6%)
	Total	303		96	33	26	148
6/7/76	Male	255	(76.8%)	51	35	13	156 (86.2%)
	Female	77	(23.2%)	41	1	10	25 (13.8%)
	Total	332		92	36	23	181
6/14/76	Male	124	(70.1%)	25	18	5	76 (87.4%)
	Female	53	(29.9%)	33	1	8	11 (12.6%)
	Total	177		58	19	13	87
6/21/76	Male	254	(75.8%)	77	33	10	134 (92.4%)
	Female	81	(24.2%)	50	2	18	11 (7.6%)
	Total	335		127	35	28	145
6/28/76	Male	258	(75.4%)	60	40	19	139 (84.2%)
	Female	84	(24.6%)	47	0	11	26 (15.8%)
	Total	342		107	40	30	165
Totals for June, 1976							
	Male	1,108	(74.4%)	267	155	59	627 (86.4%)
	Female	381	(25.6%)	213	8	61	99 (13.6%)
	Total	1,489		480	163	120	726

TABLE OF JURORS SUMMONED FOR DUTY IN KANSAS CITY, JULY, 1976

Week of		Summoned	(%)	Excused	Deferred	Not Appearing	Appeared for Service
7/6/76	Male	241	(76.0%)	74	23	12	132 (89.2%)
	Female	76	(24.0%)	50	1	9	16 (10.8%)
	Total	317		124	24	21	148
7/12/76	Male	244	(73.5%)	79	27	12	126 (86.3%)
	Female	88	(26.5%)	57	1	10	20 (13.7%)
	Total	332		156	28	22	146
7/19/76	Male	216	(74.5%)	53	33	14	116 (87.9%)
	Female	74	(25.5%)	41	4	13	16 (12.1%)
	Total	290		94	37	27	132
7/26/76	Male	136	(70.8%)	39	17	5	75 (78.1%)
	Female	56	(29.2%)	28	2	5	21 (21.9%)
	Total	192		67	19	10	96
Totals for July, 1976							
	Male	837	(74.0%)	245	100	43	449 (86.0%)
	Female	294	(26.0%)	176	8	37	73 (14.0%)
	Total	1,131		421	108	80	522

General
Population
Characteristics

MISSOURI

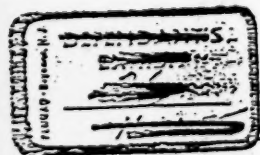
1970
CENSUS OF
POPULATIONExhibit
"B"

Table 35. Age by Race and Sex, for Counties: 1970—Continued

(For minimum base for derived figures (percent, median, etc.) and meaning of symbols, see text)

Counties	1970 population								1970 population								1960 population	1960 population								1950 population																	
	All races				White				Negro				All races					White				Negro																					
	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total		Male	Female	Total	Male	Female																					
HOWARD																						HOWELL																					
All ages.....	10 561	5 107	5 454	4 617	4 922	479	519	10 859	23 321	11 411	12 110	11 311	11 997	20	27	22 020	22 020	22 020	22 020	22 020	22 020																						
Under 1 year.....	140	68	72	61	60	7	11	186	353	189	141	142	187	164	—	—	—	—	—	—	—																						
1 year.....	144	72	72	65	66	6	6	190	342	185	157	183	157	—	—	—	—	—	—	—	—																						
2 years.....	135	60	75	51	61	9	14	177	320	148	172	148	169	—	—	—	—	—	—	—	—																						
3 years.....	136	68	68	59	55	9	13	187	322	168	154	167	153	—	—	—	—	—	—	—	—																						
4 years.....	150	86	64	73	57	13	7	200	350	158	192	156	191	—	—	—	—	—	—	—	—																						
5 years.....	163	86	77	70	69	15	8	198	352	176	176	176	173	—	—	—	—	—	—	—	—																						
6 years.....	175	101	74	83	61	18	13	199	403	198	205	193	201	—	—	—	—	—	—	—	—																						
7 years.....	177	97	80	80	66	17	13	202	406	215	191	214	190	—	—	—	—	—	—	—	—																						
8 years.....	189	95	94	87	81	8	13	174	452	232	220	232	217	—	—	—	—	—	—	—	—																						
9 years.....	173	87	86	73	77	14	9	169	458	220	238	217	234	—	—	—	—	—	—	—	—																						
10 years.....	162	90	72	81	80	9	11	189	481	251	230	248	225	1	2	4	4	4	4	4	4																						
11 years.....	189	102	87	87	79	14	8	177	472	238	234	237	231	1	1	4	4	4	4	4	4																						
12 years.....	178	90	88	80	76	10	12	182	473	240	233	237	231	1	1	4	4	4	4	4	4																						
13 years.....	190	96	94	80	79	16	15	182	483	265	218	264	215	—	—	—	—	—	—	—	—																						
14 years.....	194	91	103	81	95	9	8	166	528	292	236	289	236	—	—	—	—	—	—	—	—																						
15 years.....	197	101	96	86	86	15	9	148	443	228	215	226	214	1	—	3	3	3	3	3	3																						
16 years.....	181	93	88	80	79	13	9	159	466	247	219	244	217	1	—	4	4	4	4	4	4																						
17 years.....	182	101	81	88	69	13	12	152	444	215	229	214	228	—	—	—	—	—	—	—	—																						
18 years.....	204	132	132	122	123	9	9	261	367	172	195	172	191	—	—	—	—	—	—	—	—																						
19 years.....	291	134	157	127	148	7	8	261	321	164	157	163	157	—	—	—	—	—	—	—	—																						
20 years.....	293	135	158	125	148	8	10	225	273	118	155	116	153	1	1	2	2	2	2	2	2																						
21 years and over.....	6 638	3 122	3 516	2 878	3 207	240	301	6 875	15 012	7 092	7 920	7 028	7 850	14	16	13 471	13 471	13 471	13 471	13 471	13 471																						
Under 5 years.....	705	354	351	309	299	44	51	940	1 687	848	839	841	834	—	—	1	1	1	1	1	1																						
5 to 9 years.....	877	466	411	393	354	72	56	942	2 071	1 041	1 030	1 032	1 015	—	—	2	2	2	2	2	2																						
10 to 14 years.....	933	469	464	409	409	58	54	896	2 437	1 286	1 151	1 275	1 138	3	2	2 020	2 020	2 020	2 020	2 020	2 020																						
15 to 19 years.....	1 115	561	554	503	505	57	47	981	2 041	1 026	1 015	1 019	1 007	2	2	1 731	1 731	1 731	1 731	1 731	1 731																						
20 to 24 years.....	963	493	470	467	437	23	31	721	1 287	586	701	579	694	3	2	1 036	1 036	1 036	1 036	1 036	1 036																						
25 to 29 years.....	475	238	237	223	218	9	17	404	1 233	584	649	581	641	—	—	1	1	1	1	1	1																						
30 to 34 years.....	421	200	221	182	192	17	28	510	1 174	561	613	556	609	—	—	—	—	—	—	—	—																						
35 to 39 years.....	431	198	233	183	216	14	17	514	1 212	584	628	581	624	—	—	—	—	—	—	—	—																						
40 to 44 years.....	505	263	242	244	219	19	23	554	1 310	625	685	621	680	—	—	3	3	3	3	3	3																						
45 to 49 years.....	544	254	290	235	262	19	28	628	1 353	638	715	634	705	2	2	1 274	1 274	1 274	1 274	1 274	1 274																						
50 to 54 years.....	526	253	273	236	248	17	24	624	1 400	676	724	670	716	4	5	1 251	1 251	1 251	1 251	1 251	1 251																						
55 to 59 years.....	601	287	314	250	291	27	23	642	1 360	644	716	637	709	1	1	1 171	1 171	1 171	1 171	1 171	1 171																						
60 to 64 years.....	593	285	308	266	283	19	25	618	1 404	655	749	644	742	3	3	1 065	1 065	1 065	1 065	1 065	1 065																						
65 to 69 years.....	541	240	301	220	269	20	32	608	1 241	608	633	600	630	2	—	1 012	1 012	1 012	1 012	1 012	1 012																						
70 to 74 years.....	475	216	259	188	231	28	28	515	921	427	494	422	490	—	—	—	—	—	—	—	—																						
75 to 79 years.....	372	155	217	140	198	15	18	407	683	312	371	311	368	—	—	—	—	—	—	—	—																						
80 to 84 years.....	267	100	167	87	157	13	10	213	444	199	245	197	244	—	—	—	—	—	—	—	—																						
85 years and over.....	217	75	142	67	135	8	7	142	263	111	152	111	151	—	—	—	—	—	—	—	—																						
Under 18 years.....	3 075	1 584	1 491	1 365	1 296	215	191	3 237	7 548	3 865	3 683	3 832	3 646	5	9	7 821	7 821	7 821	7 821	7 821	7 821																						
65 years and over.....	2 232	961	1 271	864	1 162	97	107	2 255	4 424	2 054	2 370	2 029	2 353	4	2	3 632	3 632	3 632	3 632	3 632	3 632																						
Median age.....	1 872	1 706	1 938	1 585	1 786	84	95	1 885	3 552	1 657	1 895	1 641	1 883	2	1	2 993	2 993	2 993	2 993	2 993	2 993																						
Median age.....	32.5	29.4	35.4	30.0	36.1	21.8	30.6	35.3	34.3	33.0	35.5	33.0	35.5	50.0	42.5	32.7	32.7	32.7	32.7	32.7	32.7																						
IRON																						JACKSON																					
All ages.....	9 529	4 642	4 887	4 604	4 857	24	18	8 041	654 558	309 421	345 137	354 457	283 141	52 966	59 901	622 735	622 735	622 735	622 735	622 735	622 735																						
Under 1 year.....	180	91	89	91	88	—	—	145	11 248	5 678	5 570	4 423	4 249	1 214	1 281	14 843	14 843	14 843	14 843	14 843	14 843																						
1 year.....	159	86	73	85	73	—	—	156	10 428	5 360	5 068	4 187	3 968	1 137	1 079	14 627	14 627	14 627	14 627	14 627	14 627																						
2 years.....	154	83	71	82	90	1	1	152	9 823	4 913	4 910	3 788	3 608	1 081	1 081	14 304	14 304	14 304	14 304	14 304	14 304																						
3 years.....	183	97	86	97	86	—	—	145	10 492	5 337	5 155	4 197	3 932	1 115	1 185	13 846	13 846	13 846	13 846	13 846	13 846																						
4 years.....	175	95	80	93	80	2	—	160	11 087	5 617	5 470	4 376	4 154	1 222	1 286	13 544	13 544	13 544	13 544	13 544	13 544																						
5 years.....	173	88	85	88	85	—	—	140	11 901	5 983	5 918	4 606	4 559	1 344	1 324	13 222	13 222	13 222	13 222	13 222	13 222																						
6 years.....	191	91	100	91	99	—	—	156	12 376	6 368	6 008	4 903	4 619	1 419	1 349	12 355	12 355	12 355	12 355	12 355	12 355																						
7 years.....	172	89	83	88	82	—	—	148	12 873	6 522	6 351	5 051	4 778	1 432	1 441	12 053	12 053	12 053	12 053	12 053	12 053																						
8 years.....	194	105	89	105	89	—	—	157	13 101	6 631	6 470	5 117	5 010	1 476	1 417	11 592	11 592	11 592	11 592	11 592	11 592																						
9 years.....	170	92	78	91	78	—	—	136	13 417	6 886	6 531	5 264	5 026	1 588	1 459	10 553	10 553	10 553	10 553	10 553	10 553																						
10 years.....	189	99	90	99	89	—	—	158	13 861	6 981	6 900	5 350	5 203	1 597	1 647	10 468	10 468	10 468	10 468	10 468	10 468																						
11 years.....	195	104	91	102	91	—	—	180	13 167	6 774	6 393	5 174	4 899	1 556	1 458	10 346	10 346	10 346	10 346	10 346	10 346																						
12 years.....	175	91	84	90	83	1	—	183	13 201	6 742	6 452	5 272	4 933	1 434	1 487	10 374	10 374	10 374	10 374	10 374	10 374																						
13 years.....	177	90	87	88	86	2	—	179	12 785	6 491	6 294	5 104	4 818	1 345	1 449	10 335	10 335	10 335	10 335	10 335	10 335																						
14 years.....	195	93	102	93	100	—	—	156	12 583	6 412	6 171	5 033	4 843	1 339	1 298	7 738	7 738	7 738	7 738	7 738	7 738																						
15 years.....	167	91	76	89	76	1	—	179	12 116	6 126	5 990	4 838	4 680	1 248	1 267	7 297	7 297	7 297	7 297	7 297	7 297																						
16 years.....	184	110	74	107	74	3	—	160	11 489	5 735	5 7 5																																